

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Docket No. D/A072
XER 2 0423

As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**APPARATUS AND METHOD FOR CHARACTERIZING THE TONER
CONCENTRATION IN A DEVELOPER OF A PRINTING DEVICE**

the specification and claims of which

_____ are attached hereto ☒ OR was filed on August 27, 2001
Application Serial No. 09/940,058
and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

| _____ (Number) | _____ (Country) | _____ (Filing Date) |
|-------------------|--------------------|------------------------|
|-------------------|--------------------|------------------------|

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Prior Provisional U.S. Patent Application(s):

| _____ (Application Serial No.) | _____ (Filing Date) |
|-----------------------------------|------------------------|
|-----------------------------------|------------------------|

I hereby claim the benefit under Title 35, United States, Section 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, Section 1.56(a) which became available between the filing

| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status) (patented, pending, abandoned) |
|-----------------------------------|------------------------|---|
|-----------------------------------|------------------------|---|

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| | | | | | |
|----------------------|-----------------|-------------------------|-------------------|--------------------|-----------------|
| Mark E. Bandy | Reg. No. 35,788 | Brian G. Bembene | Reg. No. 41,463 | Ronald E. Chapuran | Reg. No. 26,402 |
| John P. Cornely | Reg. No. 41,687 | David B. Cupar | Reg. No. 47,516 | Mark Costello | Reg. No. 31,342 |
| Joseph D. Dreher | Reg. No. 37,123 | Matthew P. Dupan | Reg. No. 44,663 | Richard B. Domingo | Reg. No. 36,784 |
| Christopher B. Fagan | Reg. No. 22,987 | Patrick D. Floyd | Reg. No. 39,671 | Kevin R. Kepner | Reg. No. 32,145 |
| Jude A. Fry | Reg. No. 38,340 | Steven M. Haas | Reg. No. 37,841 | Eugene O. Palazzo | Reg. No. 20,881 |
| Michael E. Hudzinski | Reg. No. 34,185 | Edward T. Kennedy | Reg. No. P-48,478 | Don I. Webber | Reg. No. 34,275 |
| Richard M. Klein | Reg. No. 33,000 | Thomas E. Kocovsky, Jr. | Reg. No. 28,383 | William F. Eipert | Reg. No. 39,664 |
| Sandra M. Koenig | Reg. No. 33,722 | Scott A. McCollister | Reg. No. 33,961 | | |
| James W. McKee | Reg. No. 26,482 | Richard J. Minnich | Reg. No. 24,175 | | |
| Jay F. Moldovanyi | Reg. No. 29,678 | Philip J. Moy | Reg. No. 31,280 | | |
| Timothy E. Nauman | Reg. No. 32,283 | Eric J. Overberger | Reg. No. P-48,556 | | |
| Scott C. Rand | Reg. No. 40,359 | Patrick R. Roche | Reg. No. 29,580 | | |
| James E. Scarbrough | Reg. No. 47,056 | Ann M. Skerry | Reg. No. 45,655 | | |
| Mark S. Svat | Reg. No. 34,261 | Jason A. Worgull | Reg. No. 48,044 | | |

SEND CORRESPONDENCE TO:

Patrick R. Roche, Esq.,
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DIRECT TELEPHONE CALLS TO:

(name and telephone number)

Patrick R. Roche, Esq.
(216) 861-5582

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor: **JAMES J. FRANZEN**

Inventor's Signature: _____

Date: _____

9-25-01

Residence Fairport, New York 14450

Country of Citizenship: U.S.A.

Post Office Address:

23 Manor Hill Drive
Fairport, NY 14450

Full name of second joint inventor: **PAUL A. GARSIN**

Inventor's Signature: _____

Date: _____

9/30/01

Residence: Webster, New York 14580

Country of Citizenship: U.S.A.

Post Office Address: 135 London Road
Webster, NY 14580

Full name of third joint inventor: **EDWARD W. SMITH, JR.**

Inventor's Signature: _____

Date: _____

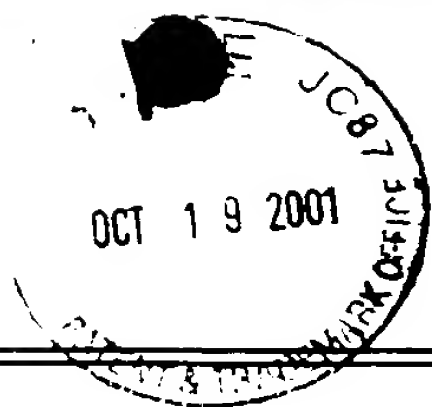
Residence: Rochester, New York 14609

Country of Citizenship: U.S.A.

Post Office Address: 46 Bedford Street
Rochester, NY 14609

Full name of fourth joint inventor: **ERIC M. GROSS**

Post Office Address:
Rochester, NY 14618



POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| | | | | | |
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Full name of sole or first joint inventor: **JAMES J. FRANZEN**

Inventor's Signature: _____ Date: _____

Residence Fairport, New York 14450

Country of Citizenship: U.S.A.

Post Office Address: 23 Manor Hill Drive
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Full name of second joint inventor: **PAUL A. GARSIN**

Inventor's Signature: : Paul A. Garstin Date: 9/25/01

Residence: Webster, New York 14580

Country of Citizenship: U.S.A.

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Full name of third joint inventor: **EDWARD W. SMITH, JR.**

Inventor's Signature: : Edward W. Smith Jr. Date: 9/26/01

Residence: Rochester, New York 14609

Country of Citizenship: U.S.A.

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Full name of fourth joint inventor: Eric M. Gross **ERIC M. GROSS**

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